

### **149.330 Definitions for KRS 149.330 to 149.355.**

As used in KRS 149.330 to 149.355, unless the context requires otherwise:

- (1) "Best management practices" means effective, practical, economical, structural, or nonstructural methods that prevent or reduce the movement of sediment, nutrients, pesticides, and other pollutants from the land to surface or groundwater, or that otherwise protect water quality from potential adverse effects of timber harvesting operations as developed by the Division of Forestry and approved by the Agriculture Water Quality Authority;
- (2) "Cabinet" means the Environmental and Public Protection Cabinet;
- (3) "Director" means the director of the Division of Forestry;
- (4) "Division" means the Division of Forestry;
- (5) "Logger" means any person who conducts timber harvesting operations for commercial purposes;
- (6) "Operator" means any person who operates or exercises control over any timber harvesting operations;
- (7) "Person" means any individual, partnership, corporation, association, society, joint stock company, firm, company, or business organization, and any agency or instrumentality of federal, state, or local government, including any publicly-owned utility or any publicly-owned corporation of federal, state, or local government;
- (8) "Timber harvesting operations" means activities directly related to the cutting or removal of trees from the forest as a raw material for commercial processes or purposes, including timber preharvesting and postharvesting activities associated with the implementation of appropriate best management practices. "Timber harvesting operations" does not include:
  - (a) The cutting of firewood;
  - (b) The cutting of evergreens grown for and cut for the traditional Christmas holiday season;
  - (c) The removal of trees incidental to clearing for coal mining or farm purposes or incidental to ground-disturbing construction activities, including well sites, and access roads and gathering lines for oil and natural gas operations;
  - (d) The cutting of trees for maintaining existing, or during construction of, rights-of-way for public highways or public utilities, unless those trees are being sold or provided as raw material for commercial wood product purposes; or
  - (e) The cutting of trees by an individual, nonindustrial landowner on his own property, if the cutting is performed by the individual, nonindustrial landowner; and
- (9) "Water pollution" has the same meaning as in KRS 224.01-010.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 555, sec. 1, effective July 15, 1998.

**Legislative Research Commission Note** (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming

the reorganization of the executive branch. Such a correction has been made in this section.